

Message Text

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E.O. 11652: N/A
TAGS: PINS GW
SUBJ: ABOLITION OF ASTA IN BADEN-WUERTTEMBERG

1. SUMMARY: IN THE FINAL VERSION OF ITS NEW DRAFT LAW ON UNIVERSITIES IN BADEN-WUERTTEMBERG THE COUNCIL OF MINISTERS ON AUGUST 18 ADDED PROVISION FOR ELIMINATING THE ALLGEMEINE STUDENTEN-AUSSCHUSS/ASTA. BASIC JUSTIFICATION IS ALLEGED DOMINATION BY EXTREMISTS AND MISUSE OF REQUIRED CONTRIBUTION OF ALL STUDENTS FOR EXTREMIST PURPOSES. IN ITS PLACE WILL BE A STUDENT ASSEMBLY COMPOSED OF STUDENT REPRESENTATIVES REGULARLY ELECTED TO THE UNIVERSITY SENAT AND FACILITY COUNCILS. PUBLIC REACTION IS THUS FAR MIXTURE OF APPROVAL, FEARS FOR INCREASED STUDENT RADICALIZATION, AND ANTICIPATED STUDENT GROUP PROTESTS. END SUMMARY.

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2. AS A RESULT OF THE FINAL DISCUSSION OF A NEW DRAFT LAW FOR UNIVERSITIES, THE BADEN-WUERTTEMBERG COUNCIL OF MINISTERS DECIDED ON AUGUST 18, 1977 THAT THE ASTAS (ALLGEMEINER STUDENTEN-AUSSCHUSS/ASTA) AT B-W UNIVERSITIES WILL BE ABOLISHED. THE B-W GOVERNMENT HAS PASSED THE DRAFT LAWS CONTAINING SUCH A PROVISION TO THE LANDTAG, WHICH WILL PRESUMABLY

DISCUSS THEM FOR THE FIRST TIME AT ITS SEPTEMBER 15 SESSION. PROVISION OF ASTA WAS ETAINED IN THE UNIVERSITY LAW OF 1973 AND APPEARED IN THE CURRENT DRAFT LAW AS IT WAS ORIGINALLY SUBMITTED BY THE MINISTRY OF CULTURE.

3. MINISTER PRESIDENT FILBINGER (CDU) JUSTIFIED THE ASTA ABOLITION BY POINTING TO THE FACT THAT ASTA STUDENT REPRESENTATION AT UNIVERSITIES HAS BEEN DOMINATED BY EXTREMIST ELEMENTS EXERCISING A POLITICAL FUNCTION IN VIOLATION OF THEIR LEGAL MANDATE. IN ADDITION, OBLIGATORY STUDENT FEES FOR THIS ORGANIZATION ARE FREQUENTLY POORLY ADMINISTERED AND MISUSED AS CONFIRMED IN A RECENT REPORT OF THE LAND ACCOUNTING OFFICE (LANDESRECHNUNGSHOF). MOREOVER, FILBINGER POINTED OUT, OBLIGATORY MEMBERSHIP IN SUCH A BODY AS ASTA WAS A FEATURE OF THE THIRD REICH FOR THE PURPOSE OF INDOCTRINATING STUDENTS, AND THIS IS NO LONGER COMPATIBLE WITH THE LIBERAL SPIRIT OF THE CONTEMPORARY LEGAL ORDER. FILBINGER ALSO EXPRESSED DOUBT ABOUT CONSTITUTIONALITY OF SUCH A BODY; HOWEVER, TO GET AN OPINION OF THE FEDERAL CONSTITUTIONAL COURT ON THIS SUBJECT MIGHT TAKE UP TO TWO YEARS. HE APPRECIATED FACT THERE WOULD BE PROTESTS FROM SOME STUDENTS. HOWEVER, CITIZENS COULD NOT BE EXPECTED TO TOLERATE MINORITY ELECTED STUDENT EXTREMISTS SPENDING THE MONEY OF ALL STUDENTS TO FIGHT THE STATE AND OFTEN THEIR OWN UNIVERSITY.

5. THE B-W GOVERNMENT PLANS TO REPLACE THE ASTAS WITH STUDENT LIMITED OFFICIAL USE

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ASSEMBLIES AT THE VARIOUS LOCAL UNIVERSITIES AND ACADEMIES. APPARENTLY THE STUDENT REPRESENTATIVES WILL NOT BE ELECTED DIRECTLY TO THE ASSEMBLY BUT WILL IN THEIR CAPACITIES AS STUDENT REPRESENTATIVES IN THE UNIVERSITY SENAT, THE ADMINISTRATIVE COUNCILS AND FACULTY COUNCILS, CONSTITUTE THE ASSEMBLY. THE ASSEMBLY AND ITS "SPEAKERS COUNCILS" WILL BE GIVEN A NUMBER OF FUNCTIONS, INCLUDING A ROLE IN CULTURAL AND SPORTS MATTERS.

6. WHILE THE "STUTTGARTER ZEITUNG" EXPRESSES SURPRISE THAT FILBINGER DID NOT ADOPT CDU LANDTAG FACTION LEADER SPAETH'S RECOMMENDED INTRODUCTION OF A "QUORUM" CONCEPT IN ELECTING ASTA REPRESENTATIVES (AS A COUNTER TO STUDENT LETHARGY) INSTEAD OF ABOLISHING ASTA ALTOGETHER, THE MORE CONSERVATIVE "NACHRICHTEN" CONVEYS SOMEWHAT GREATER UNDERSTANDING FOR THE GOVERNMENT'S DECISION AND ENDORSES ESPECIALLY THE ARGUMENT THAT COMPULSORY STUDENT FEES FOR ASTA SHOULD NOT BE USED FOR LEFT EXTREMIST AGITATION. HOWEVER, THE "NACHRICHTEN" ALSO FEARS THAT RADICAL LEFTISTS AT THE UNIVERSITIES MIGHT NOW BECOME EVEN MORE EXTREME AND VIOLENT. THE FIRST COMMENTS FROM OPPOSITION PARTIES, THE JUSOS AND SOME STUDENT ORGANIZATIONS LEAVE NO DOUBT THAT THERE WILL BE HEAVY CONTROVERSY

OVER THE GOVERNMENT'S PLANS.

7. COMMENT: THE NEW UNIVERSITY LAW, ESPECIALLY THE BAN OF
ASTA, TOGETHER WITH THE B-W GOVERNMENT'S INTENTION TO SEEK
A CONSTITUTIONAL BAN ON LEFT EXTREMIST POLITICAL GROUPS
(A-114) AND TIGHTENED LAWS FOR DEALING WITH TERRORISTS (A-106),
ALMOST ASSURE A "HOT" LEGISLATIVE AND ACADEMIC WINTER IN
BADEN-WUERTTEMBERG. THERE MIGHT WELL BE COMPROMISES AS A
RESULT OF LANDTAG DEBATES THIS FALL.
JENKINS

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